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**APPENDIX**

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**REPORTS OF STANDING COMMITTEE**

The following committee reports were received by the Secretary of the Senate:

March 19, 1993

**HEALTH AND HUMAN SERVICES — C.S.S.B. 205, C.S.S.B. 206, C.S.S.B. 207, C.S.S.B. 209, C.S.S.B. 210, C.S.S.B. 211, C.S.S.B. 212**

**THIRTY-SIXTH DAY**

(Tuesday, March 23, 1993)

The Senate met at 10:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called by former Lieutenant Governor William P. Hobby, a guest of the Senate today, and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Carriker, Ellis, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Parker, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

Charles Castleberry, guest of Senator Brown here in honor of Brazoria County Day, offered the invocation as follows:

Lord, You have honored Your servant to stand here in this place of people of renown to say a prayer for this business that will occur here today. Lord, we thank You for Your goodness and mercy. Lord, we say a special prayer for the presiding officer, Governor Bullock. Lord, we thank You for his leadership. Lord, we have seen former Governor Hobby here. Lord, we thank You for his long years of service in this place. Now, Lord, I pray that You would give each Senator wisdom. Lord, I pray that You would give each one grace, each one the knowledge to carry out the business that You would have be done. Lord, we would be remiss not to offer a special prayer and ask a special blessing on our own Senator, Senator Buster Brown. Lord, we ask that You forgive us of our sins. Give us Your grace today. These things we ask in Jesus' name. Amen.

On motion of Senator Harris of Dallas and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**CO-AUTHOR OF SENATE BILL 55**

On motion of Senator Sibley and by unanimous consent, Senator Zaffirini will be shown as Co-author of S.B. 55.

**CO-AUTHOR OF SENATE BILL 404 REMOVED**

Senator Shapiro requested that her name be removed as Co-author of S.B. 404.

The request was granted.

**PROCLAMATION FROM THE GOVERNOR**

The following Proclamation from the Governor was read and was filed with the Secretary of the Senate:

**P R O C L A M A T I O N  
BY THE****GOVERNOR OF THE STATE OF TEXAS**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

TO THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-THIRD LEGISLATURE, REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Ann W. Richards, Governor of the State of Texas, submit the following emergency matter for immediate consideration by the 73rd Legislature, now convened:

legislation related to an emergency appropriation to the University of Texas Health Science Center at San Antonio for the use of the Center for the Enhancement of the Biology/Biomaterials Interface.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at my office in the City of Austin, on this the 21st day of March, 1993.

/s/Ann W. Richards  
Governor of Texas

ATTEST:

/s/John Hannah, Jr.  
Secretary of State

**CAPITOL PHYSICIAN**

The "Doctor for the Day," Dr. C. R. Cain of Mesquite, was introduced to the Senate by Senator Sibley.

The Senate expressed appreciation and gratitude to Dr. Cain for participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**RESOLUTION SIGNED**

The President announced the signing of the following enrolled resolution in the presence of the Senate:

**H.C.R. 62**

**MESSAGE FROM THE HOUSE**

House Chamber  
March 23, 1993

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

**H.J.R. 3**, Proposing a constitutional amendment clearing land titles by relinquishing and releasing any claim of sovereign ownership or title to a fractional interest in the Shelby, Frazier, and McCormick League (now located in Fort Bend and Austin counties) arising out of the voiding of a certain interest under a Mexican land grant.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**PERMISSION TO INTRODUCE BILLS**

On motion of Senator Harris of Dallas and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of the following bills:

<b>S.B. 1299</b>	<b>S.B. 1303</b>
<b>S.B. 1300</b>	<b>S.B. 1304</b>
<b>S.B. 1301</b>	<b>S.B. 1305</b>
<b>S.B. 1302</b>	<b>S.B. 1306</b>

**HOUSE BILLS ON FIRST READING**

The following bills received from the House were read first time and referred to the committees indicated:

**H.B. 63** to Committee on Health and Human Services.  
**H.B. 454** to Committee on Jurisprudence.  
**H.B. 608** to Committee on Natural Resources.  
**H.B. 716** to Committee on Intergovernmental Relations.  
**H.B. 771** to Committee on Health and Human Services.  
**H.B. 871** to Committee on Intergovernmental Relations.  
**H.B. 941** to Committee on State Affairs.  
**H.B. 947** to Committee on Administration.

**SENATE BILLS ON FIRST READING**

The following bills were introduced, read first time, and referred to the committees indicated:

<b>S.B. 1299</b> by Barrientos	State Affairs
Relating to the appointment by the governor of the governing bodies of certain nonprofit corporations that administer public job training funds.	
<b>S.B. 1300</b> by Barrientos	Jurisprudence
Relating to administrative penalties for violations of certain environmental laws and rules and to civil suits and criminal prosecutions brought under those laws.	

## Jurisprudence

## Education

## Natural Resources

## Natural Resources

## Natural Resources

## State Affairs

## SENATE JOINT RESOLUTION 14 ON SECOND READING

The President laid before the Senate on its second reading and passage to engrossment:

**S.J.R. 14, Proposing a constitutional amendment relating to the eligibility of certain public officers to seek election to and serve in the legislature.**

The resolution was read second time and was passed to engrossment by a viva voce vote.

### SENATE JOINT RESOLUTION 14 ON THIRD READING

Senator Wentworth moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.J.R. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The resolution was read third time and was passed by the following vote: Yeas 31, Nays 0.

## SENATE RESOLUTION 474

**Senator Brown offered the following resolution:**

WHEREAS, The Senate of the State of Texas takes pleasure in joining with the residents of Brazoria County in declaring Tuesday, March 23, 1993, as Brazoria County Day; and

WHEREAS, Brazoria County's roots can be traced to 1821 when that area of the Brazos River Valley was settled by Stephen F. Austin colonists; and

WHEREAS, Prior to its colonization, the region was inhabited by the Karankawas and was visited by Cabeza de Vaca when he landed on what is now Brazoria County shores in 1528; and

WHEREAS, Essential business of the Republic of Texas was conducted in the county when Columbia served as the site of the first capital of Texas, and during the 1840s many prominent plantations were established; and

WHEREAS, Rich in history, Brazoria County was created in 1836 and continues today to be one of the most attractive counties in Texas in which to live; and

WHEREAS, Oil production began in Brazoria County in 1902 and Stratton Ridge Dome caused the county to rank first in the United States in the production of sulphur; a gin for processing live oak moss was established at Angleton and a food canning factory at Alvin; and

WHEREAS, Over the years, industrial development and population growth in the county have been managed with care in order to preserve natural habitats and historical sites; and

WHEREAS, The county is blessed with a wealth of natural resources and a bountiful harvest of crops and fish; it is comprised of coastal soils, rivers and inland marshes, and 20 miles of natural beach; and

WHEREAS, The Brazoria National Wildlife Refuge is an 11,000-acre refuge on the Gulf Intracoastal Waterway and serves as a nesting area for mottled ducks and as the wintering grounds for snow geese; and

WHEREAS, On April 4, 1992, the Brazoria County Historical Museum presented A Salute to Brazoria County History Festival to celebrate the county's colorful history; and

WHEREAS, The festival provided an excellent opportunity to educate the public and to promote awareness of the continued need to commemorate and to preserve the heritage of Brazoria County; and

WHEREAS, Brazoria County Day in Austin is an annual event anticipated by the members of the Texas Senate; the day brings together old friends and families who gather in celebration of Brazoria County's past and its many assets today which are enjoyed by residents and vacationers of all ages; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 73rd Legislature, hereby express appreciation to the people of Brazoria County for the preservation of the county's history and natural amenities and extend best wishes to them for a joyous Brazoria County Day; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the residents of Brazoria County as a token of esteem from the Texas Senate.

BROWN  
PATTERSON

The resolution was read and was adopted by a viva voce vote.

(Senator Bivins in Chair)

(President in Chair)

(Senator Bivins in Chair)

**GUESTS PRESENTED**

Senator Brown was recognized and introduced to the Senate Brazoria County Judge James Phillips, Chair of Brazoria County Day Glenn Jones, and Charles Castleberry, here in honor of Brazoria County Day.

The Senate welcomed its guests.

**SENATE RULE 5.14(a) SUSPENDED  
(Intent Calendar)**

On motion of Senator Harris of Dallas and by unanimous consent, Senate Rule 5.14(a) was suspended through Thursday, March 25, 1993, as it relates to bills being placed on the Intent Calendar, in order to permit Senator Zaffirini and Senator Harris of Tarrant to place four (4) bills each on the Intent Calendar.

(Senator Truan in Chair)

**COMMITTEE SUBSTITUTE  
SENATE BILL 671 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 671**, Relating to the requirement that institutions of higher education deposit certain funds and receipts in the state treasury.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 671 ON THIRD READING**

Senator Montford moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 671** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 104 ON SECOND READING**

On motion of Senator Harris of Tarrant and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 104**, Relating to the admission of children to the public free schools.

The bill was read second time and was passed to engrossment by a viva voce vote.

(President in Chair)

**COMMITTEE SUBSTITUTE  
SENATE BILL 104 ON THIRD READING**

Senator Harris of Tarrant moved that Senate Rule 7.18 and the

Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.S.B. 104 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

#### **COMMITTEE OF THE WHOLE SENATE**

On motion of Senator Carriker and by unanimous consent, the Senate at 11:00 a.m. resolved into a Committee of the Whole Senate with Senator Carriker presiding.

#### **IN LEGISLATIVE SESSION**

The Presiding Officer, Senator Harris of Dallas in Chair, called the Senate to order at 11:28 a.m. as In Legislative Session.

#### **REPORT OF COMMITTEE OF THE WHOLE SENATE**

Senator Carriker reported that the Committee of the Whole Senate on Redistricting, Ethics and Elections had met and conducted business.

#### **COMMITTEE SUBSTITUTE SENATE BILL 149 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 149**, Relating to commissioning peace officers to protect persons and property at housing authorities.

The bill was read second time and was passed to engrossment by a viva voce vote.

#### **COMMITTEE SUBSTITUTE SENATE BILL 149 ON THIRD READING**

Senator Leedom moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 149** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

#### **SENATE BILL 232 ON SECOND READING**

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 232**, Relating to the period when a marriage ceremony may be performed.

The bill was read second time and was passed to engrossment by a viva voce vote.

**SENATE BILL 232 ON THIRD READING**

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

**SENATE BILL 97 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 97**, Relating to death benefits payable to the survivors of certain public servants.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend S.B. 97 as follows:

(1) In Section 3, delete Sec. 3A(b) and replace with the following:

"(b) A person is entitled to purchase benefits as provided by this section if the person, at the time of death of a paid law enforcement officer employed by the state or a person designated as custodial personnel of the institutional division of the Texas Department of Criminal Justice, is the surviving spouse or a dependent of the officer or custodial employee."

(2) In Section 6, delete Sec. 4(c) and replace with the following:

"(c) An eligible survivor under this section is a person who, on the date of death of the paid law enforcement officer, paid fireman, or person appointed as supervisory personnel in a county jail, is the surviving spouse or a dependent of the officer, fireman, or supervisory employee."

The amendment was read and was adopted by a viva voce vote.

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend S.B. 97 by striking SECTION 4, and renumbering the remaining sections accordingly.

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

**SENATE BILL 97 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. 97 be placed on its third reading and final passage.



The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by a viva voce vote.

#### **SENATE BILL 533 ON SECOND READING**

Senator Barrientos asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**S.B. 533**, Relating to recommendations made by the Texas Ethics Commission and the Sunset Advisory Commission concerning conflict of interest provisions for the governing bodies of state agencies.

There was objection.

Senator Barrientos then moved to suspend the regular order of business and take up **S.B. 533** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Carriker, Ellis, Haley, Harris of Tarrant, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Parker, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Brown, Harris of Dallas, Henderson, Nelson.

The bill was read second time and was passed to engrossment by a viva voce vote.

#### **RECORD OF VOTES**

Senators Brown and Henderson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **SENATE BILL 533 ON THIRD READING**

Senator Barrientos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 533** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Carriker, Ellis, Haley, Harris of Tarrant, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Parker, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Nays: Brown, Harris of Dallas, Henderson, Nelson.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

#### **SENATE BILL 637 ON SECOND READING**

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 637**, Relating to the collection of medical services fees by certain public institutions of higher education.

The bill was read second time.

Senator Armbrister offered the following committee amendment to the bill:

**Committee Amendment**

Amend S.B. 637 in the following manner:

1. Add the following SECTION 2 and renumber existing SECTIONS accordingly:

SECTION 2. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.50891 to read as follows:

Sec. 54.50891. MEDICAL SERVICES FEE; THE UNIVERSITY OF TEXAS SYSTEM COMPONENTS. (a) The board of regents of The University of Texas System may charge each student registered at a component institution of The University of Texas System a medical services fee not to exceed \$55 for each semester of the regular term or 12-week summer session and not to exceed \$25 for each six-week or shorter term of the summer session.

(b) Before charging a medical services fee, the board must give students and administrators an opportunity to offer recommendations to the board as to the type and scope of medical services that should be provided.

(c) A medical services fee charged at a component institution of The University of Texas System may be used only to provide medical services to students registered at that component.

(d) A medical services fee charged under this section is in addition to any other fee the board is authorized by law to charge and may not be considered in determining the maximum student services fee that may be charged students enrolled at a component institution of The University of Texas System.

2. Amend new SECTION 3 to read as follows:

SECTION 3. Sections 54.5089 and 54.50891, Education Code, as added by this Act, apply beginning with the fall semester in 1993.

The committee amendment was read and was adopted by a viva voce vote.

Senator Turner offered the following amendment to the bill:

**Floor Amendment**

Amend S.B. 637 by inserting two new sections of the bill, appropriately numbered, to read as follows:

SECTION \_\_\_\_\_. Subchapter E, Chapter 54, Education Code, is amended by adding Section 54.5075 to read as follows:

Sec. 54.5075. MEDICAL SERVICES FEE; THE TEXAS A&M UNIVERSITY SYSTEM. (a) The board of regents of The Texas A&M University System may charge each student registered at a component institution of The Texas A&M University System a medical services fee not to exceed \$55 for each semester of the regular term or 12-week summer session and not to exceed \$25 for each six-week or shorter term of the summer session.

(b) Before charging a medical services fee, the board must give

students and administrators of the component institution at which the medical services fee is to be charged an opportunity to offer recommendations to the board as to the type and scope of medical services that should be provided.

(c) A medical services fee charged at a component institution of The Texas A&M University System may be used only to provide medical services to students registered at that component institution.

(d) A medical services fee charged under this section is in addition to any other fee the board is authorized by law to charge and may not be considered in determining the maximum student services fee that may be charged to students enrolled at a component institution of The Texas A&M University System under Section 54.503(b) of this code.

SECTION \_\_\_\_\_. Section 54.5075, Education Code, as added by this Act, applies beginning with the fall semester in 1993.

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Armbrister and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

#### **SENATE BILL 637 ON THIRD READING**

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. 637 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

#### **COMMITTEE SUBSTITUTE**

#### **SENATE BILL 579 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 579**, Relating to a student union building fee at The University of Texas—Pan American.

The bill was read second time and was passed to engrossment by a viva voce vote.

#### **COMMITTEE SUBSTITUTE**

#### **SENATE BILL 579 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.S.B. 579 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE BILL 640 ON SECOND READING**

On motion of Senator Sims and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 640**, Relating to the assignment of oil and gas leases issued by, and to meetings of, the Board for Lease of University Lands.

The bill was read second time.

Senator Sims offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **S.B. 640** by changing SECTION 2 to read as follows:

SECTION 2. Section 66.62(g), Education Code, is amended to read as follows:

(g) Unless the action relates to the sale of a lease, a[★] majority of the board members has the power to act for the board. If the action relates to the sale of a lease, two board members present at a meeting have the power to act for the board.

The amendment was read and was adopted by a viva voce vote.

Senator Sims offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **S.B. 640** by deleting the words "a filing fee in an amount set by the board of not less than \$30 [of \$5]" and substituting the following words "a filing fee of \$30 [\$5]" (Committee Printing, page 1, lines 32 and 33).

The amendment was read and was adopted by a viva voce vote.

On motion of Senator Sims and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by a viva voce vote.

**RECORD OF VOTE**

Senator Moncrief asked to be recorded as "Present-not voting" on the passage of the bill to engrossment.

**SENATE BILL 640 ON THIRD READING**

Senator Sims moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 640** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0, Present-not voting 1.

Present-not voting: Moncrief.

The bill was read third time and was passed by a viva voce vote.

**RECORD OF VOTE**

Senator Moncrief asked to be recorded as "Present-not voting" on the final passage of the bill.

**SENATE BILL 591 ON SECOND READING**

On motion of Senator Luna and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 591**, Relating to prohibiting certain employment of former board of trustees members of public junior colleges.

The bill was read second time and was passed to engrossment by a viva voce vote.

**RECORD OF VOTE**

Senator Wentworth asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**SENATE BILL 591 ON THIRD READING**

Senator Luna moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 591** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Wentworth.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 391 ON SECOND READING**

On motion of Senator Rosson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 391**, Relating to the composition and operation of municipal boards of adjustment.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 391 ON THIRD READING**

Senator Rosson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 391** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 282 ON SECOND READING**

Senator Leedom moved to suspend the regular order of business to take up for consideration at this time:

**C.S.S.B. 282**, Relating to the fees for services rendered by justices of the peace.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Armbrister, Bivins, Brown, Haley, Harris of Dallas, Henderson, Luna, Madla, Moncrief, Montford, Nelson, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Carriker, Ellis, Harris of Tarrant, Leedom, Lucio, Parker, Truan, Turner, West.

Question—Shall the bill be read second time?

#### **VOTE RECONSIDERED**

Senator Henderson moved to reconsider the vote by which the regular order of business was suspended to take up **C.S.S.B. 282**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Question—Shall the regular order of business be suspended?

Senator Leedom again moved to suspend the regular order of business to take up for consideration at this time **C.S.S.B. 282**.

The motion was lost by the following vote: Yeas 16, Nays 15. (Not receiving two-thirds vote of Members present)

Yeas: Armbrister, Bivins, Haley, Leedom, Moncrief, Montford, Nelson, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Wentworth, Zaffirini.

Nays: Barrientos, Brown, Carriker, Ellis, Harris of Tarrant, Harris of Dallas, Henderson, Lucio, Luna, Madla, Parker, Shelley, Turner, West, Whitmire.

#### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The Presiding Officer, Senator Harris of Dallas in Chair, announced the time had arrived to consider the executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Barrientos.

Senator Barrientos moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The Presiding Officer asked if there were requests to sever nominees.

There were no requests offered.

#### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Members, Texas A&M University System Board of Regents: JOHN H. LINDSEY, Harris County; T. MICHAEL O'CONNOR, Victoria County; M. GUADALUPE LOPEZ RANGEL, Nueces County.

Members, Texas Tech University Board of Regents: DR. CARL EDWARD NOE, Dallas County; EDWARD E. WHITACRE, JR., Bexar County.

Members, General Services Commission: PARKER C. FOLSE III, Harris County; RAMIRO GUZMAN, El Paso County; RONALD KIRK, Dallas County; BETTY McKOOL, Dallas County; OFELIA DE LOS SANTOS, Hidalgo County.

Members, Low-Level Radioactive Waste Disposal Authority: DAVID OJEDA, JR., Dimmit County; CARMEN E. RODRIGUEZ, El Paso County.

Members, Lower Colorado River Authority Board of Directors: HILDA C. KROLL, Blanco County; JAMES A. MARTIN, Travis County; BETTY JO MILLER, San Saba County.

Members, Trinity River Authority of Texas Board of Directors: DR. ANTON B. BRUCKS, Dallas County; MELLIE RENDON HOWARD, Navarro County; PERCY HOWARD, JR., Walker County; DAVID BARKLEY JENKINS, Chambers County; CARROL N. MAGEE, Dallas County; CONSTANCE T. SLOCOMB, Polk County; STEPHEN LYLE TATUM, Tarrant County.

Members, Brazos River Authority Board of Directors: ADA G. CONNOR, Limestone County; PATRICIA S. EASON, Williamson County; JAMES JEFFERSON GIBSON, King County; HELEN ELIZABETH MARTIN, Erath County; CHARLES R. MOSER, Washington County; LYNDON L. OLSON, SR., McLennan County; JOHN M. WEHBY, Williamson County.

Canadian River Compact Commissioner: XEN HARRIS ODEN, Lubbock County.

Member, General Services Commission: NORA W. CHAVEZ, Bexar County.

Member, Gulf Coast Waste Disposal Authority: JEROME J. PENNINGTON, Harris County.

Member, Board for Lease - Texas Parks and Wildlife Commission: THOMAS WALTER UMPHREY, Jefferson County.

Member, Lower Concho River Water and Soil Conservation Authority Board of Directors: JOSEPH BEACH, Concho County.

Members, Radiation Advisory Board: DR. LOUIS H. CADENA, Val Verde County; DR. JAMES DANIEL COX, Harris County; DR. GREGG S. WILKINSON, Galveston County.

Member, School Land Board: RICHARD M. LANDSMAN, Bexar County.

Member, Upper Colorado River Authority Board of Directors: RUBY N. GUTIERREZ, Tom Green County.

Members, Veterans Land Board: JESSE D. MARTIN, Lubbock County; MIKE McKOOL, Dallas County.

(Senator Zaffirini in Chair)

### FLOOR PRIVILEGES GRANTED

On motion of Senator Moncrief and by unanimous consent, floor privileges were granted to members of Senator Zaffirini's staff and Senator Harris of Tarrant's staff for Thursday, March 25, 1993, during deliberations on C.S.S.B. 205, C.S.S.B. 206, C.S.S.B. 207, C.S.S.B. 209, C.S.S.B. 210, C.S.S.B. 211, and C.S.S.B. 212.

### GUEST PRESENTED

Senator Zaffirini introduced to the Senate Henry R. Munoz III of Laredo, Commissioner of Transportation.

The Senate welcomed Commissioner Munoz.

### SENATE BILL 244 RECOMMITTED

On motion of Senator Harris of Dallas and by unanimous consent, S.B. 244 was recommitted to the Committee on State Affairs.

### MEMORIAL RESOLUTION

**S.R. 484** - By Turner: Paying tribute to Richard "Dick" King and Rachel Ellis King, whose gravesite has recently been granted a Texas Historical Gravemarker, for their contributions to the citizens of Houston County.

### WELCOME AND CONGRATULATORY RESOLUTIONS

**H.C.R. 15** - (Sims): Recognizing the contributions of private landowners to our state's success and declaring the third week of October each year to be designated "Landowner's Rights Week."

**H.C.R. 102** - (West): Inviting the people of the Republic of Ghana to join Texas in friendship and commerce.

**S.C.R. 57** - By Sims: Welcoming a delegation from Corinth, Greece, to Abilene in celebration of their becoming sister cities.

**S.C.R. 58** - By Turner: Recognizing Dr. Carlton Van Doren for his 25 years of service to Texas A&M University and to the people of this state.

**S.C.R. 59** - By Turner: Recognizing Dr. Leslie M. Reid for his 28 years of service to Texas A&M University and to the people of this state.

**S.C.R. 60** - By Turner: Recognizing Dr. Louis Hodges for his 25 years of service to Texas A&M University and to the people of this state.

**S.R. 466** - By Barrientos: Commending Jack R. Bagwell of Great Britain for services performed in the cause of international cooperation.

**S.R. 467** - By Sibley: Recognizing Dr. Neilon J. Rowan for being named an Honorary Member of the Institute of Transportation Engineers.

**S.R. 468** - By Sibley: Recognizing Dan Eddy and the Grand Prairie delegation of Leadership Southwest.

**S.R. 469** - By Henderson: Congratulating Marilyn D. Rhinehart of Spring, who was selected as a recipient of the 1992 T. R. Fehrenbach Book Award by the Texas Historical Commission and Dow Chemical Company.



**S.R. 470** - By Patterson: Commending the legislative and governmental affairs division of the Deer Park Chamber of Commerce for its work in its community.

**S.R. 471** - By Turner: Recognizing Sallie Woodward of Crockett and observing "Sallie Woodward Day" on March 25, 1993.

**S.R. 472** - By Whitmire: Recognizing Dale F. Hoagland for his 33 years of service with the United Food and Commercial Workers International Union.

**S.R. 473** - By Madla: Congratulating the members of the Saint Gerard Catholic High School boys varsity basketball team and their coach for winning the 55th annual Texas Catholic Interscholastic League Class 3A State Basketball Championship.

**S.R. 475** - By Zaffirini: Recognizing Texas Press Women on the occasion of their 100th anniversary.

**S.R. 476** - By Wentworth: Congratulating Ben and Irene Zabicki on the occasion of their 50th wedding anniversary.

**S.R. 477** - By Wentworth: Congratulating the Marion High School girls basketball team, the Lady Bulldogs, for winning the Class 2A State Championship.

**S.R. 478** - By Henderson: Commending Carol Black of Avondale, Pennsylvania, for her perseverance and adventuresome spirit and declaring her an honorary Texan.

**S.R. 479** - By Turner: Recognizing that the Anderson County Historical Commission will receive the Texas Historical Commission's Distinguished Service Award.

**S.R. 480** - By Turner: Recognizing that the Waller County Historical Commission will receive the Texas Historical Commission's Distinguished Service Award.

**S.R. 481** - By Turner: Recognizing that the Milam County Historical Commission will receive the Texas Historical Commission's Distinguished Service Award.

**S.R. 482** - By Turner: Recognizing that the Milam County Historical Museum will receive the Texas Historical Commission's Distinguished Service Award.

**S.R. 483** - By Turner: Recognizing that the Williamson County Historical Commission will receive the Texas Historical Commission's Distinguished Service Award.

**S.R. 485** - By Turner: Recognizing the Bethlehem Cemetery in Washington County for receiving an Official Texas Historical Marker.

#### ADJOURNMENT

On motion of Senator Harris of Dallas, the Senate at 12:14 p.m. adjourned until 11:00 a.m. tomorrow.

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**APPENDIX**

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**REPORTS OF STANDING COMMITTEES**

The following committee reports were received by the Secretary of the Senate:

**March 22, 1993**

STATE AFFAIRS — S.B. 244, S.B. 401

NATURAL RESOURCES — H.B. 288 (Amended), S.B. 467, S.B. 603, S.B. 1074, C.S.S.B. 1041, C.S.S.B. 737

**March 23, 1993**

CRIMINAL JUSTICE — S.B. 667 (Amended), S.B. 610

COMMITTEE OF THE WHOLE SENATE ON REDISTRICTING, ETHICS AND ELECTIONS — C.S.S.C.R. 28, C.S.S.R. 133

JURISPRUDENCE — C.S.S.B. 590

CRIMINAL JUSTICE — C.S.S.B. 1069

ECONOMIC DEVELOPMENT — C.S.S.B. 83, S.B. 428, C.S.S.B. 400

HEALTH AND HUMAN SERVICES — C.S.S.B. 160, S.B. 286 (Amended), S.J.R. 21, S.C.R. 1, S.B. 368 (Amended)

JURISPRUDENCE — S.B. 332 (Amended), C.S.S.B. 857

**THIRTY-SEVENTH DAY**  
(Wednesday, March 24, 1993)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Carriker, Ellis, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Parker, Patterson, Ratliff, Rosson, Shapiro, Shelley, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Romilly Timmins, Grace Episcopal Church, Georgetown, offered the invocation as follows:

Grant, O God, that Your people may come together to undertake the work of this state's government as a vocation and